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E.O. 12958: N/A
TAGS: [MARR](#) [ECON](#) [PREL](#) [PGOV](#) [EWWT](#) [KCRM](#) [PBTS](#) [PHSA](#)
SUBJECT: ACTION REQUEST: MAY 29 MEETING OF CONTACT GROUP
ON PIRACY OFF THE COAST OF SOMALIA

REF: A. STATE 42291 B. STATE 45157

¶1. This is an action request; please see paragraph 3.
This demarche is info only for Embassy Nicosia, as Cyprus
has not been invited to participate in the May 29 meeting.

OBJECTIVES

¶2. Reference A announced the upcoming plenary meeting of
the Contact Group on Piracy of the Coast of Somalia (CGPCS)
and Reference B provided talking points for posts to deliver
to governments invited to attend. This cable provides the
agenda, administrative information, and USG positions on the
issues to be discussed

ACTION REQUEST

¶3. Posts are asked to share the attached agenda and administrative information, and to preview issues to be discussed with host governments at the appropriate level. Posts are requested to obtain from capitals by May 21 the names, titles, and contact information (phone, fax and email) of persons who will be attending the CGPCS and to forward this information to the points of contact in the last paragraph.

DRAFT AGENDA

¶4. The draft agenda is as follows. Participant views on additional agenda items should be communicated to the points of contact in the last paragraph.

09:30-10:00 a.m. Registration and Coffee
10:00-10:15 a.m. Introductory Comments and Outline of Objectives
10:15-11:15 a.m. Brief (1 minute) Remarks by Participants Desiring to Speak
11:15-11:45 a.m. Break
11:45-1:00 p.m. Reports from Working Groups
-- Working Group 1 and Shared Awareness and Deconfliction Process (UK, Chair)
-- Working Group 2 and International Trust Fund proposal (Denmark, Chair)
-- Working Group 4 (Egypt, Chair)
1:00-2:30 p.m. No Host Lunch
2:30-4:00 p.m. New Business
-- Tasking Proposal for Working Group 3
-- U.S. proposal to create Working Group 5 on Financial Levers
-- Other business as raised by participants
4:00-4:30 p.m. Break
4:30-5:30 p.m. Next Steps and Concluding Remarks
-- Date, Host, and Venue for next plenary
-- Approve Communiqué Language
5:30 p.m. Press Availability for Heads of Delegations

Administrative Information

¶5. The meeting will take place at the United Nations Headquarters Building, New York City, in Conference Room Four from 9:30 a.m. to 5:30 p.m. Morning and afternoon refreshments will be provided by the U.S. outside the Conference Room; no-host luncheon will be available in the UN Dining Room or Cafeteria facilities. Special Event building passes for delegation members not holding UN credentials will be issued at a reception table inside the building at the Visitors Entrance. Conference packages will be distributed inside the Conference Room; only those delegates requiring passes need visit the reception table. Conference staff will circulate an attendance roster to collect, and will subsequently make available to all attendees, delegate contact information.

USG Positions

¶6. The following paragraphs articulate USG positions on the primary issues we intend to raise for discussion. Conference organizers would welcome information from post in advance of the plenary regarding these views by other CGPCS participants.

PRESS THE NEED FOR ADDITIONAL FORCES

¶7. Operational coordination through regular Shared Awareness and Deconfliction (SHADE) meetings at the

military operational level has improved the international community's ability to deter pirate attacks, especially in the Internationally Recognized Transit Corridor (IRTC) in the Gulf of Aden (GOA). The IRTC allows for the west-to-east transit of commercial traffic in a sanitized zone, limiting the number of military vessels required to secure the IRTC. SHADE meetings now occur weekly, co-hosted by the Coalition Maritime Forces and EU Naval Forces commanders, with higher-level meetings held every six weeks to ensure that scarce resources are used effectively. This coordination has proved effective and the U.S. would oppose any proposed mechanism that would duplicate, impede upon, or attempt to replace the SHADE process. The huge expanse of territory in the Somali Basin and irregular transit patterns makes an IRTC - type transit corridor there unworkable. Additional forces, especially maritime patrol aircraft and unmanned aerial vehicles, are required to effectively patrol the Somali Basin. The United States urges CGPCS participants and others concerned with countering piracy to provide additional military assets.

ADOPT NATIONAL POLICIES TO SUPPORT DETENTION AND PROSECUTION

18. States, especially those with international treaty obligations to do so, should ensure that they have in place policies and legislation that permit the detention and prosecution of pirates. CGPCS Working Group 2 will offer two papers during the May 29 meeting. The first lists impediments to prosecution in past cases and the second is a checklist of steps that states can take to ensure that they are able to prosecute suspected pirates. Affected states with the ability to do so, including the states of registry, ship owners, cargo owners, and crew nationalities of pirated ships, should favorably consider the prosecution of suspected pirates in their domestic courts. When the U.S. - flagged Maersk Alabama was attacked, the U.S. undertook to prosecute the suspected pirate. Other affected states have also prosecuted pirates.

CREATE WORKING GROUP 5 ON FINANCIAL LEVERS

19. The United States will call for the creation of a fifth working group to examine financial levers that might be used against pirates and their enablers. Working Group 5 should focus on understanding informal financial systems as well as the formal systems that are potentially facilitating the activities of pirates off the Coast of Somalia. It should examine the feasibility of disrupting the financing of pirate operations and pirate leaders through tracking and freezing of their assets. It should also explore engaging international bodies, such as the Financial Action Task Force (FATF), to assist in developing standards that could be presented to the CGPCS, as well as bodies that track illicit financial flows to pirates and their operations.

AGREE ON NEW TASKING FOR WORKING GROUP 3

10. The U.S. will continue to work with industry to promote the implementation of self-protection measures. The U.S. suggests that Working Group 3 review, on a quarterly basis, lessons learned from pirate attacks and update anti-piracy guidance as necessary based upon new information. In addition, the US also suggests that Working Group 3 undertake development of best management practices for use by owners, labor, and seafarers welfare organizations in aiding seafarers affected by piracy.

PROMOTE NO CONCESSIONS POLICY

¶11. Concessions to pirates, including the payment of ransom, encourage piratical activities and hostage taking. The USG has a long-standing No Concessions policy with regard to kidnapping and extortion, including piracy. No Concessions does not mean no action; the USG is committed to the safe recovery of pirated hostages. There is flexibility in negotiation processes to influence hostage-takers, thinking and to try and bring about the safe release of hostages; the act of talking to and trying to influence hostage-takers can have beneficial effects without concessions. The USG discourages concessions by private parties, but prefers to remain informed if such discussions are underway.

MAINTAIN PUBLIC AFFAIRS FOCUS IN WORKING GROUP 4

¶12. The U.S. believes that Working Group 4 should focus on developing public affairs strategies for discouraging piracy, not on soliciting or managing strategies for capacity building or nation-state development. While maritime security and prosecutorial capacity building and economic development in Somalia will play key roles in defeating piracy, these are being addressed in other CGPCS and international fora. The CGPCS tasked Working Group 1 with examining maritime capacity building needs around the Horn of Africa and East Africa. The United Kingdom has traveled to the Somalia region to assess maritime capabilities in the region. The CGPCS should empower Working Group 1 to continue these efforts. Working Group 2 is the best place to work on building regional judicial capacity, given the expertise of the group's members. Any capacity building undertaken through the CGPCS must be in response to assessed needs and coordinated with other regional capacity development efforts, including the UNODC and IMO as well as other regional and bilateral capacity development. The International Contact Group on Somalia, the UN, and bilateral initiatives by UN member states are the best mechanisms to help foster economic development in Somalia. The CGPCS must do a better job informing the public and those thinking about becoming pirates of the destructive consequences of piracy to trade and development in Somalia and the region. Working Group 4 was formed to perform this function and should concentrate on it.

Points of contact

¶13. Department points of contact for this meeting are PM/PPA David Foran, 202-647-7162, forandm@state.gov, Aiyaz Husain, 202-647- 6058, husaina2@state.gov, and Christina Rosati, 202-647-3034, rosatics@state.gov.
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